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8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**
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11 PAVIS LEVAR GRAY,
12 Petitioner,
13 v.
14 BRIAN K. BIRKHOLTZ,
15 Respondent.
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CASE NO. CV 22-07562-SSS(AS)
**ORDER ACCEPTING FINDINGS,
CONCLUSIONS AND
RECOMMENDATIONS OF
UNITED STATES MAGISTRATE
JUDGE**

19 Pursuant to 28 U.S.C. section 636, the Court has reviewed the Petition, all of
20 the records herein and the attached Report and Recommendation of United States
21 Magistrate Judge to which no objections were filed. The Court concurs with and
22 accepts the findings and conclusions of the Magistrate Judge in the Report and
23 Recommendation.

24 **IT IS ORDERED** that Respondent's Motion to Dismiss the Petition be
25 granted and Judgment be entered denying the Petition and dismissing this action
26 without prejudice.
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1 **IT IS FURTHER ORDERED** that the Clerk serve copies of this Order, the
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3 Magistrate Judge's Report and Recommendation and the Judgment herein on counsel
4 for Petitioner and counsel for Respondent.

5 DATED: April 13, 2023

A handwritten signature in black ink, appearing to read 'Sunshine S. Sykes', written over a horizontal line.

SUNSHINE S. SYKES
United States District Judge